IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL REVISION APPLICATION NO.147 OF 2006

N.Ashokkumar ..Applicant

V/s.

State of Maharashtra & Anr. ..Respondents

Mr.J.P.Shah for the applicant.

Mr.Gaurav Agarwal for Respondent No.2.

Coram : R.S.Mohite,J

Date : 29.3.2006.

PC.

1. Heard both sides. Rule. By consent, rule made returnable forthwith.

2. An affidavit of respondent no.2 who is the original complainant dated 29.3.2006 is taken on record. Both the parties have agreed to compound the offence under Section 138 of Negotiable Instruments Act as the dispute between the parties is settled. On behalf of the complainant company one Mr.Ramprasad K.Sharma has stated that respondent no.2 has received the amount of Rs.1,65,000/- from the petitioner and has accepted the same as full and final settlement as all their claims against the petitioners. He has further stated that offence may be compounded under section 138 of Negotiable

Instruments Act. He has also prayed for compounding of the offence. In this view of the matter, the offence under Section 138 of Negotiable Instruments Act is allowed to be compounded and the impugned Judgment and order dated 8.3.2006 passed by the Special Judge in Criminal Appeal no.349 of 2005 and order dated 28.6.2005 passed by the Metropolitan Magistrate, 10th Court, Andheri in C.C.No.2966/S/03 are set aside and the accused is acquitted of the offence charged. Rule made absolute in the aforesaid terms. The applicant is directed to be released forthwith. Certified copy expedited.

(R.S.Mohite,J)